

ZB# 00-57

Frank Francan

14-1-10.11

#00-57 Hancan, Frank

14-1-10.11

Specimen:
Nov. 29, 2000
SEQ 22

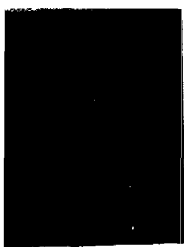
Public Hearing:

Jan. 8, 2001
~~Can. 10.11.11~~
~~Can. 10.11.11~~
Use 1st Variances
for 2nd
apt. granted
Refund: \$176.00

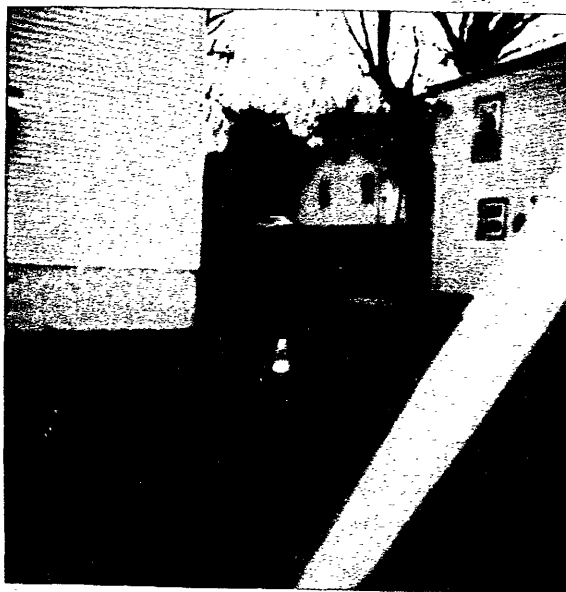


00-57





00-57



APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Trancon, Frank

FILE# 00-57

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X

USE X

APPLICATION FOR VARIANCE FEE \$ 50.00

*paid #1808
11/30/80.*

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

paid #1807

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE *11/27/00-6* \$ 27.00

2ND PRELIMINARY- PER PAGE *11/8/01-6* \$ 27.00

3RD PRELIMINARY- PER PAGE \$ _____

PUBLIC HEARING - PER PAGE \$ _____

PUBLIC HEARING (CONT'D) PER PAGE \$ _____

TOTAL \$ 54.00

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING: *11/27/00* \$ 35.00

2ND PRELIM. *11/8/01* \$ 35.00

3RD PRELIM. \$ _____

PUBLIC HEARING \$ _____

PUBLIC HEARING (CONT'D) \$ _____

TOTAL \$ 70.00

MISC. CHARGES:

..... \$ _____

TOTAL \$ 124.00

LESS ESCROW DEPOSIT \$ 300.00

(ADDL. CHARGES DUE) \$ _____

REFUND DUE TO APPLICANT .. \$ 176.00

FRANK G. FRANCAN
7 COLUMBUS ST.
NEW WINDSOR, NY 12553

50-7222/2219
0110006275

1808

DATE NOV 30, 2000

PAY TO THE
ORDER OF

Town of New Windsor

\$50.00

Fifty

50 DOLLARS



Walden Federal

12 Main Street - Walden, New York 12580-1854

MEMO

Varma VISI REG #00-57

Handwritten signature

⑆221972221⑆ 01 10 006275⑈ 1808

11/15/01

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553**

Frances Roth
168 N. Derry Lane
Newburgh, N.Y. 12550

DATE		CLAIMED	ALLOWED
11/8/01	Zoning Board 11/16	75.00	
	Misc. 2		
	Gargiulo/Lyns - 6		
	Frauman - 6 27.00.		
	Bila-Podhany - 7		
	Schleginger - 4	112.50	
	<u>25</u>	<u>187.50</u>	

FRANK G. FRANCAN
7 COLUMBUS ST.
NEW WINDSOR, NY 12553

7222/2219
0110006275

1807

562-8040

DATE Nov 30, 2000

PAY TO THE
ORDER OF

Town of New Windsor

\$ 300.00

Three Hundred Dollars and

~~70~~ DOLLARS



Walden Federal

2BA

MEMO

Village of New Windsor #00-57

Thy

⑆221972221⑆ 01 10 006275 1807

-----x
In the Matter of the Application of

FRANK FRANCAN

#00-57.
-----x

**MEMORANDUM OF
DECISION GRANTING
USE & AREA VARIANCES**

WHEREAS, FRANK FRANCAN, residing at 7 Columbus Street, New Windsor, New York, N. Y. 12553, has made application before the Zoning Board of Appeals for a 16,250 sq. ft. lot area, 37.5 ft. lot width, 14.1 ft. front yard, 1.7 ft. rear yard, 180 ft. (each unit) minimum livable area and use variance to allow existing single-family residence as a two-family residence at the above location in a P1 zone; and

WHEREAS, a public hearing was held on the 8th day of January, 2001 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared with Jerald Fiedelholz, Esq. on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property consists of an existing structure located in a P1 zone. The Applicant seeks to use this structure as a two-family house which is not a permitted house in the P1 zone in which it is located.

(b) The property is surrounded by multi-family dwellings.

(c) There are no industrial, or non-family uses in the area.

- (d) The development proposed by the Applicant is consistent with the neighborhood.
- (e) Construction of the premises will not change the course of water or drainage, cause the ponding or collection of water or adversely affect the drainage.
- (f) Construction of the project as proposed by the Applicant will not have a negative impact in any way on the environment of the neighborhood.
- (g) In order for the Zoning Board of Appeals to make a determination with respect to the environmental impact of the proposed development, it is not necessary for the Board to have such additional information as would be supplied by a long form Environmental Assessment Form or an Environmental Impact Statement.
- (h) A variance was previously granted to this Applicant for office use of this property. The Applicant now seeks permission for a residential use but the appearance of the property and the building thereon has not changed since the original application and will not change if granted.
- (i) Based on evidence presented by the Applicant, it appears that the property cannot produce a reasonable return unless used as a multi-family residence, which use is consistent with the rest of the neighborhood in which the property is located.
- (j) The building, if allowed, would be consistent with size and appearance with the other buildings in the neighborhood.
- (k) It appears that the development, if allowed, will permit sufficient parking to meet the requirements of the Zoning Local Law.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The Applicant cannot realize a reasonable return and that lack of return is substantial.
2. The hardship alleged relating to the property in question is unique and does not apply to a substantial portion to the district and neighborhood.
3. The requested variances, if granted, will not alter the essential character of the neighborhood for the hardship alleged by the Applicant has not been self-created.

NOW, THEREFORE, BE IT


RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a use variance to allow an existing single-family residence to be converted into a two-

family residence, in a PI zone, plus 16,250 sq. ft. lot area, 37.5 ft. lot width, 14.1 ft. front yard, 1.7 ft. rear yard and 180 ft. (each unit) minimum livable area variances at 13 Columbus Street, in an PI zone as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: March 12, 2001.


Chairman

FRANCAN, FRANK

MR. NUGENT: Request for use variance to allow a two-family dwelling in a PI zone located at 13 Columbus Street.

Mr. Frank Francan and Jerald Fiedelholz, Esq. appeared before the board for this proposal.

MR. KRIEGER: Before they start, I would like to simply remind the board that this is a use variance and it's going to require not only a finding with respect to the application but of course they have to comply with SEQRA, that means that this board's going to have to make a finding of either a negative dec, that there's no environmental impact or a positive dec, meaning that there, maybe not to find that there is, but there may be. Mr. Torley, is there a short form environmental assessment form in the folder?

MR. TORLEY: I'm rummaging through the secretary's folder, yes, there's a short form environmental assessment form.

MR. KRIEGER: Okay, this public hearing can act as both the public hearing on the application and also what's necessary to the public hearing that's necessary to satisfy the requirements of SEQRA, but you do have to make a finding and whether the other members are going to before you're going to want to look at the short form environmental assessment form is entirely up to you.

MR. TORLEY: Before we can personally we have the form, completed form in front of us, but I did want to hear the applicant before we rule.

MR. KRIEGER: The short form is only a requirement of filing, it may or may not supply necessary information, that's entirely up to the members of the board. If it doesn't supply necessary information, you may either question the applicant or you may require that before it's granted you file a full environmental assessment form but which is a much more extensive document but I suggest you look at what is in the file and if there

are any questions, it can be satisfied without asking him to file a full environmental assessment form. I encourage you to ask those questions at this point.

MR. TORLEY: One of the things that the environmental assessment forms are of course most concerned about are things such as pollution, water runoff, other environmental safety hazards, your structure will not be changing any water runoffs, you're not dealing with any hazardous wastes?

MR. FIEDELHOLTZ: No.

MR. TORLEY: Nothing other than typical--

MR. FIEDELHOLTZ: There's many multiple family homes right there now, in fact, this actually improves the area, this building, as you can see by the building there.

MR. NUGENT: There actually are other two-family houses in the area?

MR. FIEDELHOLTZ: Yes, many of them.

MR. NUGENT: There's nothing industrial there now, is there?

MR. FRANCAN: No.

MR. FIEDELHOLTZ: Right next door is a four-family house.

MR. NUGENT: Is there anything that you'd like to add, Frank, to this, to your original or your attorney would like to add?

MR. FRANCAN: In terms of the environmental impact form or--

MR. FIEDELHOLTZ: In terms of the application.

MR. FRANCAN: The application I'd like to add a few things. I have two competent appraisals done, one of which I have tonight, the other one I was in contact

with Mr. Meyer's appraisal which had agreed with my first appraisal and he's in the process of completing his so that was one of the things that maybe would also help. The building itself is the same, there was no changes made to the outside structure or levels of the land in any way.

MR. TORLEY: As a reminder to myself and the rest of the board that there was a previous use, an area variance granted on this property 4/26/99 and you really haven't changed the footprint of the property?

MR. FIEDELHOLTZ: No, we haven't changed it at all. Originally, it was going to be an office, we find now the office he can't rent out but it's a PI zone but everything in the area is multiple family, actually, as I said before, did improve the area. What we're asking now is that the office can be used as an apartment, the building is up, it's been approved, except he needs approval from the board to have it used as an apartment instead of an office.

MR. KANE: I wasn't here for the prelim, that's why he's back, even though he was granted the use, change that office into an apartment?

MR. TORLEY: And the apartment meets all the area requirements for an apartment.

MR. KANE: I remember the original.

MR. FRANCAN: What I wanted to add, too, I have some other examples of the apartments in the neighborhood and the land size being greatly smaller than what I have put together and again, someone that was a competent appraisal person that had noted on my form that it was an over-improvement to the neighborhood and also that it fit nicely.

MR. NUGENT: You want to hand that appraisal in and let us put it in as evidence.

MR. FRANCAN: Sure, if I could make a note on the board that shows that I do have a document that shows I have a second appraisal, I don't have the complete form

which the gentleman had agreed with that one which I would need the document but there's evidence that I did do a second appraisal.

MR. KRIEGER: You say the second person told you orally that he would agree with this appraisal?

MR. FRANCAN: Yes, correct.

MR. FIEDELHOLTZ: I have received from the second appraiser a receipt showing they did hire the gentleman to do it.

MR. KANE: When that appraisal comes available, can we get a copy of that?

MR. FRANCAN: Yes.

MR. KANE: Thank you.

MR. KRIEGER: Would this building, if allowed, appear consistent size-wise and appearance-wise with the other buildings in the neighborhood?

MR. FRANCAN: Yes.

MR. REIS: Mr. Chairman, just as a point of reference, we're handling the marketing and selling of the property contiguous to the subject and which is a four-family, Mr. Francan's property is by far superior in design and functionality and really is a very nice improvement to this particular area, just a point of reference.

MR. KRIEGER: So, you propose this building as containing what, one apartment and one other living area?

MR. FRANCAN: Yes.

MR. KRIEGER: Basically, two living areas?

MR. FRANCAN: Yes.

MR. KRIEGER: What provisions if any have you made for

parking?

MR. FRANCAN: I have a, I own a whole other lot even before I started this, this was added to that for parking and the setback of the house which Mike, maybe if you can help me on, we had discussed that the other building's set closer to the road than this one which allows for additional parking in the front as well as along the side.

MR. TORLEY: As I recall, he met the parking requirements when it was going to be an office which more than fit just an apartment.

MR. FIEDELHOLTZ: We at that time provided enough parking space for the office. The problem he has here now basically he can't rent an office, nobody's going to rent an office in that area, there's not much choice, actually, he's not changing anything, only 860 square feet, that's all it's going to be, a small office, correct?

MR. FRANCAN: Yes.

MR. TORLEY: The code is 800 is the minimum size.

MR. BABCOCK: I have to look that up.

MR. NUGENT: I think it's six.

MR. FRANCAN: I do live there myself, so being the owner, few other properties in the area.

MR. KANE: We have noted that the mailings went out to the public for the record?

MR. TORLEY: I'm quoting from an affidavit from the secretary, Patricia Corsetti, on the first day of December, 2000, she mailed out 51 addressed envelopes were mailed out.

MR. REIS: No responses, Larry? Accept a motion?

MR. KRIEGER: You have two things, first of all, you have to close the SEQRA hearing and determine whether

or not there is an environmental impact. If you determine that there isn't, then the appropriate motion would be to declare a negative dec and after the SEQRA is closed, then you can vote on the application itself.

MR. NUGENT: We have to open it up to the public, I'm sorry, looking at the individuals that are out there, I skipped over that. Open it to the public, then close it. Let the record show that there's no one in the audience.

MR. KRIEGER: Then you need a motion to declare a negative dec.

MR. TORLEY: I move that we declare a negative finding for the SEQRA resolution.

MR. KANE: Second it.

ROLL CALL

MR. KANE	AYE
MR. REIS	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE

MR. KRIEGER: Make a negative dec, that's the actual term in the statute.

MR. REIS: I make a motion that we pass Mr. Francan's request for a variance at 13 Columbus Street.

MR. KANE: Second it.

ROLL CALL

MR. KANE	AYE
MR. REIS	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE

MR. FIEDELHOLTZ: Thank you very much, gentlemen.

MR. FRANCAN: Thank you for your time.

PROJECT I.D. NUMBER

617.21

SEQR

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

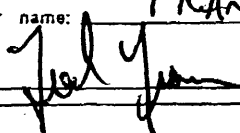
1. APPLICANT /SPONSOR FRANK G. FRANCAN	2. PROJECT NAME FRANCAN HOME
3. PROJECT LOCATION: Municipality TOWN OF NEW WINDSOR County ORANGE	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) STREET ADDRESS IS 13 COLUMBUS STREET, NEW WINDSOR N.Y. 12553 GOUSE'S TAVERN / COLUMBUS STREET AND 9W	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: TWO FAMILY HOME w/ A GARAGE	
7. AMOUNT OF LAND AFFECTED: 87.5 x 100 ft AREA Initially 1.10 acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly PLANNED INDUSTRIAL ZONE	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input checked="" type="checkbox"/> Other Describe: MULTI FAMILY	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals TOWN OF NEW WINDSOR / BIDG. PERMIT	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency name and permit/approval TOWN OF NEW WINDSOR / BIDG. PERMIT	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name:

FRANK FRANCANDate: **NOV 30, 2000**

Signature:



If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.

☐ Yes ☐ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.

☐ Yes ☐ No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

☐ Yes ☐ No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from responsible officer)

Date

Arthur G. Meier
**REAL ESTATE APPRAISER &
CONSULTANT**

**7 Mayer Drive Bldg 1
Middletown, NY 10940
Office / Fax
(845) 344-3061**

RECEIPT

DATE 11/28/00

PROPERTY ADDRESS

13 Columbus St
New Windsor, NY

AMOUNT RECEIVED \$ 450.-


ART MEIER

Date 1/17/01, 12.....

TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553**

TO Frank G. Francan DR.

7 Columbus Street
New Windsor, N.Y. 12553

[illegible]

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

Prelim.
Nov. 29, 2000
COPY
#00-57

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 10/2/00

APPLICANT: Frank Francan
7 Columbus Street
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 9/28/00

FOR : Two Family Dwelling

LOCATED AT: 13 Columbus Street

ZONE: PI

DESCRIPTION OF EXISTING SITE: 14-1-10.11

IS DISAPPROVED ON THE FOLLOWING GROUNDS: 48-12 Use/Bulk Tables PI Zone

1. Use variance required, two family dwelling is not permitted.

Louis J. Vucich
BUILDING INSPECTOR

PERMITTED**PROPOSED OR
AVAILABLE:****VARIANCE
REQUEST:**

ZONE: PI USE: Not Permitted

Two Family

Two Family

MIN. LOT AREA: 25,000ft

8,750ft

16,250ft

MIN LOT WIDTH: 125ft

87.5ft

37.5ft

REQ=D.. FRONT YD: 35ft

20.9ft

14.1ft

REQ=D. SIDE YD:

REQD. TOTAL SIDE YD:

REQ=D REAR YD: 40ft

38.3ft

1.7ft

REQ=D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA: 1,000ft

820fteach unit

180fteach unit

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE ,W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

RECEIVED

SEP 28 2000

Town of New Windsor Bldg. Dept.

FOR OFFICE USE ONLY:
Building Permit #: 1066

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE PERMIT WILL BE ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises FRANK G FRANCAN

Address 7 Columbus Street Phone 914-562-8040

Mailing Address SAME AS ABOVE

Name of Architect BOB SEARS

Address _____ Phone _____

Name of Contractor SAME AS ABOVE

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER/BUILDER

If applicant is a corporation, signature of duly authorized officer. FRANK FRANCAN - President
(Name and title of corporate officer)

1. On what street is property located? On the South side of (13) COLUMBUS STREET
(N,S,E or W)
and 300 feet from the intersection of COLUMBUS ST AND RT 9W
2. Zone or use district in which premises are situated PT Is property a flood zone? Y N ☒
3. Tax Map Description: Section 14 Block 1 Lot 10.11E
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
- a. Existing use and occupancy 2 FAMILY b. Intended use and occupancy 2 FAMILY
5. Nature of work (check if applicable) ☒ New Bldg ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other
6. Is this a corner lot? NO
7. Dimensions of entire new construction. Front 40 Rear 40 Depth 34 Height 30 No. of stories 1 STORY
8. If dwelling, number of dwelling units: 2 Number of dwelling units on each floor 2
- Number of bedrooms 2 Baths 2 Toilets 2 Heating Plant: Gas ☒ Oil ☐
Electric/Hot Air ☐ Hot Water ☐ If Garage, number of cars 2 cars
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use 2 FAMILY

10. Estimated cost

70,000

Fee

\$50.00

Chk# 1735

PAID

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 563-4618
(914) 563-4693 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

7 Columbus Street
(Address of Applicant)

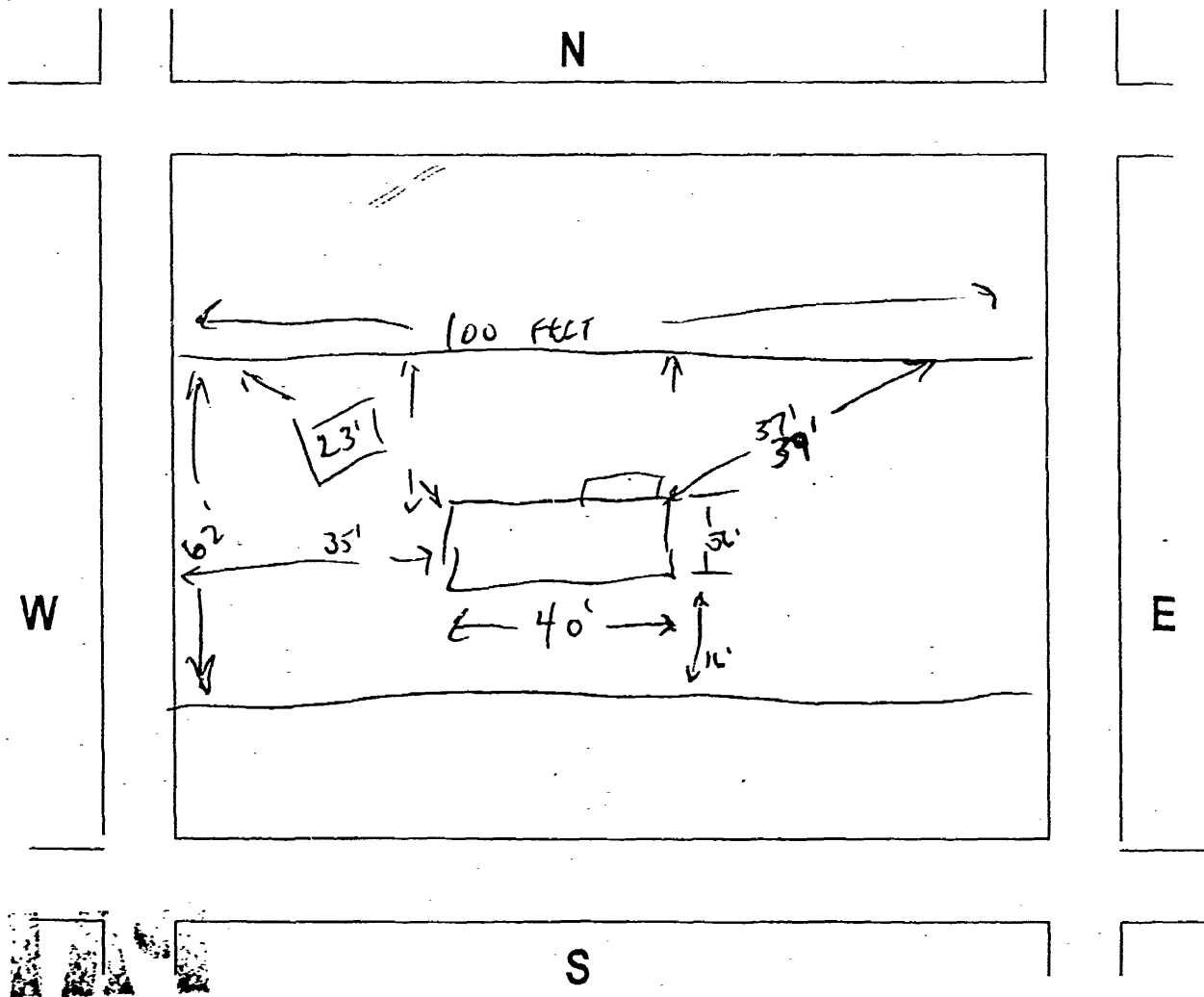
(Owner's Signature)

SAME AS ABOVE
(Owner's Address)

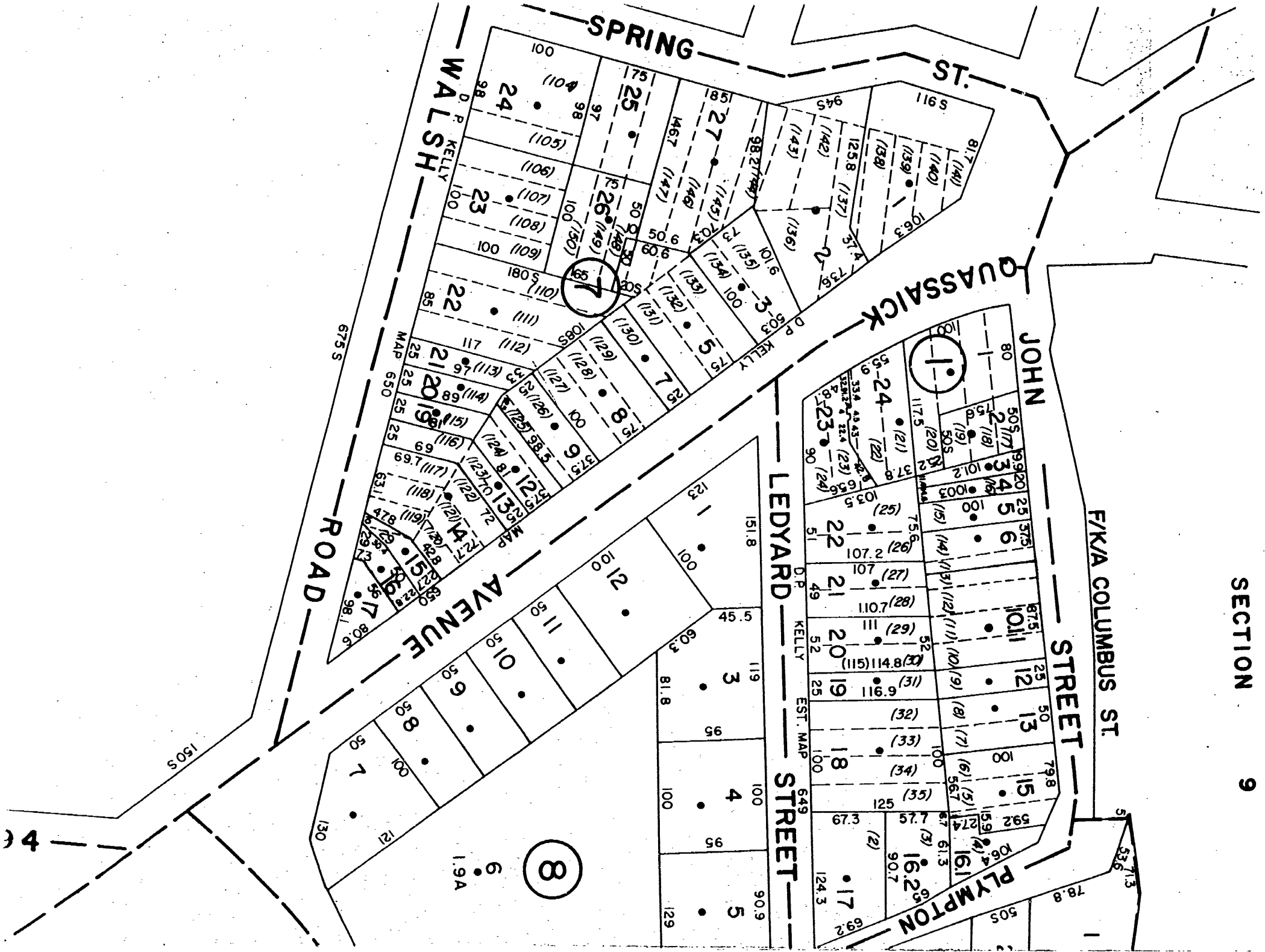
PLOT PLAN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



SECTION 9





Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

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Assessors Office

November 28, 2000

Frank Francan
13 Columbus Street
New Windsor, NY 12553

Re: 14-1-10.11

Dear Mr. Francan,

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$75.00, minus your deposit of \$25.00.

Please remit the balance of \$50.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook
Sole Assessor

LC/bw
Attachments

CC: Pat Corsetti, ZBA

9-1-66.1
Masud Naraghi
C/o Torr International
12 Columbus Street
New Windsor, NY 12553

14-1-2
Marie & Roland Mitchell
27 Columbus Street
New Windsor, NY 12553

14-1-21
Carman Torelli & Ernestine Anderson
27 Ledyard Street
New Windsor, NY 12553

9-1-67
Geraldine & Brewster Paffendorf
1 Quassaick Ave
New Windsor, NY 12553

14-1-3
Isabel & Jorge Jimenez
25 Columbus Street
New Windsor, NY 12553

14-1-22 ; 14-8-1
Mario & Solomon Crisostomo
33 Quassaick Ave
New Windsor, NY 12553

9-1-68.2
County of Orange
255-275 Main Street
Goshen, NY 10924

14-1-4: 14-1-5
Claudia Toraco
23 Columbus Street
New Windsor, NY 12553

14-1-24
Edward Reeves
19 Quassaick Ave
New Windsor, NY 12553

9-1-69.2
American Felt & Filter Company Inc.
311 First Street
Newburgh, NY 12550

14-1-6: 14-1-12: 14-1-13: 14-1-23
Frank Francan
19 Columbus Street
New Windsor, NY 12553

14-2-1
Dennis Deyo
778 Broadway
Newburgh, NY 12550

13-4-13
Masako & Samuel DePace
112 John Street
New Windsor, NY 12553

14-1-15
Margaret & Alfred Palumbo
186 Caesars Lane
New Windsor, NY 12553

14-2-2
Michael Lucas
146 Quassaick Ave
New Windsor, NY 12553

13-4-14
Marlene & Thomas Van Zandt
108 John Street
New Windsor, NY 12553

14-1-16.1
Ira Kroun
1 Columbus Street
New Windsor, NY 12553

14-2-3.1
10 Plympton Street Corp.
10 Plympton Street
New Windsor, NY 12553

13-4-15
Brenda & David Thom
FKA Angelotti
106 John Street
New Windsor, NY 12553

14-1-16.2: 14-1-18
Victor Bosacky
15 Ledyard Street
New Windsor, NY 12553

14-7-2; 14-7-3
Richard Ostner
82 Bethlehem Rd
New Windsor, NY 12553

13-5-13.1; 14-7-1
Linda & Richard Ostner
66 Union Ave
New Windsor, NY 12553

14-1-17
Vincenta & Roberto Arocho
5 Ledyard Street
New Windsor, NY 12553

14-7-5
Toni Ann Catalano
P.O. Box 4139
New Windsor, NY 12553

13-5-15
Donna & Michael Collins
6 Cedar Ave
New Windsor, NY 12553

14-1-19
Alice & Victor Bosacky
15 Ledyard Street
New Windsor, NY 12553

14-7-7
Salvatore Acquaro
16 Hillside Ave
New Windsor, NY 12553

14-1-1
Donna & Thomas Curtin
20 Hunter Rd
Washingtonville, NY 10992

14-1-20 ; 14-7-24
Mira Ellen Rumsey
C/o Mira Ellen Blythe
7 Perry Street
Morristown, NJ 07960

14-7-8
Jeanne & Jeffrey Stent
34 Quassaick Ave
New Windsor, NY 12553

14-7-9
David Cleeves
8 Bridge Street
Cornwall, NY 12518

14-7-12
Patrick Bianco
324 Collabar Rd
Montgomery, NY 12549

14-7-13
Zelandia & Hermino Maldonado
44 Quassaick Ave
New Windsor, NY 12553

14-7-14
Michael Jacobson
16 Paulding Ave
Cold Springs, NY 10516

14-7-15
52 Quassaick Ave Inc.
c/o Somporn Toombs
32 Ellis Ave
Newburgh, NY 12550

14-7-16
Donna & Dominick Pisano
182 North Plank Rd
Newburgh, NY 12550

14-7-17
Frank H. Reis Realty Corp.
79 N. Front Street
Kingston, NY 12401

14-7-19; 14-7-20
Bertha & George Traver
42 Blanche Ave
New Windsor, NY 12553

14-7-21
Maryam Robare
289 Walsh Ave
New Windsor, NY 12553

14-7-22
Oscar Luis Acosta, Victoriana &
Jose Camacho
287 Walsh Ave
New Windsor, NY 12553

14-7-23 ; 14-7-26
Ferdinand Ritz
283 Walsh Ave
New Windsor, NY 12553

14-7-25
Shirley & Harold Jones
9 Cedar Ave
New Windsor, NY 12553

14-7-27
Cecelia & Joseph Piqueras
18 Spring Rock Rd
New Windsor, NY 12553

14-8-3
Ann Szloboda
14 Ledyard Street
New Windsor, NY 12553

14-8-4
Gloria Hryncewich
53 Brane Ave
Hawthorne, NJ 07506

14-8-5
Celsa & Humberto Fernandez
15 Plympton Street
New Windsor, NY 12553

14-8-6
Lenora & Natasha Grable
313 Walsh Ave
New Windsor, NY 12553

14-8-7
Saffioti Bros. Inc.
61 Quassaick Ave
New Windsor, NY 12553

14-8-8 ; 14-8-9
Ezenia & Mario Espana
P.O. Box 4259
New Windsor, NY 12553

14-8-10 ; 14-8-11
Stella & Zygmunt Orzechowski
61 Blanche Ave
New Windsor, NY 12553

14-8-12
Arthur Gray
C/o MHG Realty
45 Quassaick Ave
New Windsor, NY 12553

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT

#00-57

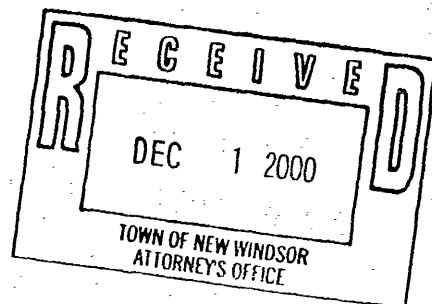
11/30/2000

Francon, Frank

Received \$ 50.00 for Zoning Board Fees, on 11/30/2000. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Dorothy H. Hansen
Town Clerk



Date 12/100, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12550

DATE			CLAIMED		ALLOWED	
11/27/00		Zoning Board Mtg	75	00		
		MISC - 2				
		Francan - 6 27.00.				
		Bila - 8				
		M'Dermott - 1				
		Orr - 4				
		Duckworth - 2				
		Cosallo - 4				
		27	121	50		
			196	50		

PRELIMINARY MEETINGS:

FRANCAN, FRANK

Mr. Frank Francan appeared before the board for this proposal.

MR. NUGENT: Request for use variance to allow two-family dwelling in PI zone, plus 16,250 square feet area, 37.5 ft. lot width, 14.1 ft. front yard, 1.7 ft. rear yard and 180 sq. ft. minimum livable floor area for each unit at 13 Columbus Street.

MR. FRANCAN: Probably some confusion as to what I was originally looking for and my request to what I was trying to do and go back through what I had done conferring with Mike, Mr. Babcock, he told me that the process in which I have to do what I'm looking for is to go through and make everything, request a two family on my building permit in order to carry out the things which I'm trying to do. And originally, I guess I didn't conform to everything and I thought I conformed to the bulk tables but after speaking with him again then I finally realized it's partly my fault, I should of requested a two family.

MR. REIS: Is this an existing building?

MR. FRANCAN: Yes.

MR. REIS: Completely renovated?

MR. FRANCAN: No, it's erected, I built the building.

MR. NUGENT: On an empty lot.

MR. TORLEY: You put up a two family building in a PI zone?

MR. FRANCAN: Well, it's the same building and I was supposed to ask for--

MR. NUGENT: He already got a variance granted for a single family.

MS. CORSETTI: That was last year.

MR. TORLEY: Yeah, I remember.

MR. FRANCAN: What I wanted to do was make an office and make that completely separate and in order to do that in my request, it's still a two family, that's where I was getting all screwed up. So my original request should have been a two-family dwelling in a PI zone and I don't know if the things are, I think some of the rear yard is the same, I believe the front yard was the same and lot width should be the same, I don't know if the area's changed, that's something I need to look at. I have any papers here.

MR. NUGENT: I have the old one.

MR. FRANCAN: I think it added 8,000 cause it should be divided by two.

MR. NUGENT: You have 6,000 square feet lot area, this was the original one, 12.5 inch lot width, 1.7 rear yard and that was granted so if we go over this, it's still 1.7 rear yard, lot width is doubled, Mike, is this what you're doing, 12 foot?

MR. BABCOCK: Well, I'm trying to figure it out myself, Jim, the requirements for single-family house is different than the requirements for two-family house, so what we did is we went back through and wrote it up everything for a two-family house, even though he got certain variances that may be okay for the two-family house is based on a one family, we just wrote it up completely as a brand new variance. This way, there's no confusion sometime later down the road so we're saying that the one-family house was 15,000 square feet, the two family is 25,000 so he needs instead of giving him, unless you want us to do something different, we could write it up as the difference between what variances he got for the single-family house and what he needs for the two-family house, we just started over.

MR. TORLEY: That's better.

MR. BABCOCK: That's why you see the repeat.

MR. NUGENT: The actual, the building is exactly the same footprint as the single family?

MR. BABCOCK: That's correct.

MR. NUGENT: Just two stories?

MR. FRANCAN: Yes.

MR. TORLEY: When you got your original variance, you said it was going to be a one-family house with office space as I recall?

MR. FRANCAN: Correct and I wanted to keep that completely separated.

MR. TORLEY: But now you're going to say it's going to be a two family unit so you're going to rent out the office space instead then?

MR. FRANCAN: I would like to, yes, or have the availability to me to be able to do that.

MR. REIS: Frank, is the total square footage of the dwelling the same today as it was when you planned the single family and the office space?

MR. FRANCAN: Yes.

MR. REIS: Total square footage is the same?

MR. FRANCAN: Correct, the building itself is exactly the same, the print, there's nothing I added, I didn't, you know, make it bigger or subtract or it's the same footprint as the original architectural drawing.

MR. REIS: Have you had any question or complaints from your neighbors about this?

MR. FRANCAN: No.

MR. REIS: Just for the record.

MR. NUGENT: There are other two-family houses in that area.

MR. FRANCAN: Yes.

MR. NUGENT: Many of them, I think.

MR. TORLEY: But a two-family house does not meet the floor area requirements, he's 180 feet short on each one, Mike?

MR. BABCOCK: I'm trying to figure that out.

MR. TORLEY: 180 square foot livable floor area for each unit.

MR. FRANCAN: I thought it would only be 90 for each unit.

MR. TORLEY: What's the minimum by code?

MR. BABCOCK: The minimum is 1,000, apparently, according to your plan you're providing 820 and that's what we're getting out of it which comes to 180 square foot for each unit, yes.

MR. REIS: These two units are occupied now?

MR. FRANCAN: The one is, yes, that's my, I'm living there.

MR. REIS: Accept a motion?

MR. NUGENT: Yes, I guess so.

MR. REIS: Motion to--

MR. NUGENT: I'm a little confused by the numbers but Mike, what did you base this on, a two-family residence?

MR. BABCOCK: Yes.

MR. NUGENT: Even though that's not allowed in a PI zone?

MR. BABCOCK: That's correct.

MR. NUGENT: But you used those numbers?

MR. BABCOCK: Right.

MR. REIS: As if we're starting from scratch.

MR. BABCOCK: I can change that and give him credit for the part of the variance that he already had, if the board wishes to do that, I just, for future down the road, I think it would be much clearer if we do it this way, that was my thoughts and I'll change it if you'd like.

MR. NUGENT: No, I think we should do it from scratch also, I agree with you on that part. My only comment would be some of these were already granted.

MR. BABCOCK: That's correct.

MR. NUGENT: 1.7 rear yard, I'm trying to simplify your request.

MR. BABCOCK: Right, it was the rear yard was already granted exactly what it is, but it was granted for a one-family house. Today's application is going to show that two family and if somebody goes in to try to figure this out some day down the line when there's a sale or refinancing or whatever, it would just clean it up to say that yes, here's the two family that's there now and he'd get everything instead of having to try to go back to a year ago to see if he got that 1.7 but if you'd like, we can do that.

MR. NUGENT: No, leave it the way it is then.

MR. TORLEY: We would just note in the record that these supplant any previous variances.

MR. NUGENT: Right. I'll accept a motion.

MR. REIS: Make a motion that we set Mr. Francan up for a public hearing for his requested variances.

November 27, 2000

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MR. MCDONALD: Second it.

ROLL CALL

MR. MC DONALD AYE

MR. REIS AYE

MR. TORLEY AYE

MR. NUGENT AYE

MS. CORSETTI: You know the program, Frank.

MR. KRIEGER: Okay, because you're applying for a use variance, you ought to read through that, there's some additional requirements like an environmental, short form environmental assessment form. In addition, take these, these are the criteria on which the zoning board must decide. So if you would address yourself to those criteria at the public hearing, that would be helpful.

MR. FRANCAN: Well, if it's okay with the board, I will seek the help of an attorney.

MR. KRIEGER: Absolutely and it's somewhat more complicated.

MR. FRANCAN: I want to apologize, I was confused from the beginning.

MR. KRIEGER: That's entirely within your province and if you want that assistance, by all means.

MR. FRANCAN: Okay.

MR. KRIEGER: Matter of fact, if you retain an attorney, feel free to have him call me.

MR. FRANCAN: Great, thank you.

ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR
COUNTY OF ORANGE:STATE OF NEW YORK

-----X

In the Matter of the Application for Variance of

Frank Franco

AFFIDAVIT OF
SERVICE
BY MAIL

#00-57.

-----X

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

PATRICIA A. CORSETTI, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at
7 Franklin Avenue, New Windsor, N. Y. 12553.

That on the 1st day of December, 2000, I compared the 51
addressed envelopes containing the Public Hearing Notice pertinent to this case
with the certified list provided by the Assessor regarding the above application
for a variance and I find that the addresses are identical to the list received. I
then caused the envelopes to be deposited in a U.S. Depository within the Town
of New Windsor.

Patricia A. Corsetti

Notary Public

Sworn to before me this

____ day of _____, 20____.

Notary Public

SMALL RESIDENTIAL INCOME PROPERTY APPRAISAL REPORT

File No. 41211

Property Address: 13 Columbus Street		City: New Windsor		State: NY		Zip Code: 12553	
Legal Description: 14-1-10.11 T/O New Windsor		County: Orange		Tax Year: 2000		R.E. Taxes: 4,500 Est.	
Assessor's Parcel No.: 14-1-10.11		Map Reference: N/A		Special Assessments: None		Census Tract: 127.00	
Borrower: Francon		Current Owner: Francon		Occupant: <input type="checkbox"/> Owner <input type="checkbox"/> Tenant <input checked="" type="checkbox"/> Vacant			
Property Rights Appraised: <input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Project Type: <input type="checkbox"/> HUD <input type="checkbox"/> Condominium		HOA \$: N/A		/Mo.			
Sales Price: 5 N/A		Date of Sale: 8/00		Description and \$ amount of lease charges/concessions to be paid by seller: N/A			
Lender/Clien: Superior Mortgage		Address: 2 Corporate Drive Suite 203 Central Valley, NY 10917					
Appraiser: Frank G. Riess Appraisals Inc.		Address: 2366 Route 9D, PO Box 450, Hughsonville, NY 12537					
Location: <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural		Predominant Single Family Occupancy: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Vacant (0-5%) <input type="checkbox"/> Vacant (over 5%)		Single Family Housing: PRICE 65 Low New 750 High 200		Predominant 2-4 Family Occupancy: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Vacant (0-5%) <input type="checkbox"/> Vacant (over 5%)	
Built Up: <input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%		Growth Rate: <input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow		PRICE: 35 Low New 250 High 200		AGE: 200	
Property Values: <input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining		Demand/Supply: <input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance <input type="checkbox"/> Over Supply		MARKETING TIME: <input type="checkbox"/> Under 3 mos <input checked="" type="checkbox"/> 3-6 mos <input type="checkbox"/> Over 6 mos			
Typical 2-4 Family Hldg. Type: Old Style		No. Stories: 2		No. Units: 2		Age: 80 yrs.	
Typical Rents \$: 500 to \$ 1,800		Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining		Present Land Use %: One Family 65 2-4 Family 4 Multi-family 3 Commercial 8		Land Use Change: <input type="checkbox"/> Not Likely <input type="checkbox"/> Likely	
Est. Neighborhood Net Vacancy: 5 %		Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining		In process to: <input type="checkbox"/> One Family <input type="checkbox"/> 2-4 Family <input type="checkbox"/> Multi-family <input type="checkbox"/> Commercial			
Rent Controls: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Likely		If yes or likely, describe:		C. Cont.) 20			

NOTE: Race and the racial composition of the neighborhood are not appraisal factors.

Neighborhood boundaries and characteristics: The neighborhood boundaries are the Hudson River to the East, Route 208 to the West and the Newburgh Town lines to the North and South.

Factors that affect the marketability of the properties in the neighborhood (proximity to employment and amenities, employment stability, appeal to market, etc.): The subject is located in the town of New Windsor on the edge of the South side of the City of Newburgh. The neighborhood is comprised of mostly older homes, older two family homes and some commercial properties. Many of the homes in the neighborhood are in need of attention. The subject appears to be an over improvement for the neighborhood. This has been considered in value. It is convenient to commuter highways. All support facilities are located within a reasonable distance. The subject is served by the Newburgh Central School district.

The following available listings represent the most current, similar, and proximate competitive properties to the subject property in the subject neighborhood. This analysis is intended to evaluate the inventory currently on the market competing with the subject property in the subject neighborhood and recent price and marketing time trends affecting the subject property. (Listings outside the subject neighborhood are not considered applicable.) The listing comparables can be the rental or sale comparables if they are currently for sale.

ITEM	SUBJECT	COMPARABLE LISTING NO. 1	COMPARABLE LISTING NO. 2	COMPARABLE LISTING NO. 3
Address	13 Columbus Street New Windsor NY	1-2 Williamsburgh Court Newburgh NY	5-7 Bannerman View Newburgh NY	14 Dean Hill Road New Windsor NY
Proximity to Subject		2.7 Miles	5.6 Miles	3.3 Miles
Listing Price	\$ N/A	<input checked="" type="checkbox"/> Uniform <input type="checkbox"/> Furn. \$ 179,900	<input checked="" type="checkbox"/> Uniform <input type="checkbox"/> Furn. \$ 169,900	<input checked="" type="checkbox"/> Uniform <input type="checkbox"/> Furn. \$ 227,500
Approximate GBA	1,945	2,538	2,000	3,180
Data Source	Inspection	MLS	MLS	MLS
# Units/Tot. Rm./BR/BA	2/6/2/2.0	2/11/4/4	2/12/4/2	2/13/6/3
Approximate Year Built	2000	1987	1986	1987
Approx. Days on Market	N/A	15 Days	95 Days	65 Days

Comparison of listings to subject property: There were no known listings of similar two family homes with two bedrooms.

Market conditions that affect 2-4 family properties in the subject neighborhood (including the above neighborhood indicators of growth rate, property values, demand/supply, and marketing time) and the prevalence and impact in the subject market area regarding loan discounts, interest buydowns and concessions, and identification of trends in listing prices, average days on market and any change over past year, etc.: The real estate market in the subject area is stable. All traditional forms of financing are readily available. The marketing time for two to four family homes is typically 120-180 days in the subject area.

Dimensions: See Attached		Topography: Mostly Level	
Site Area: 2 Acre		Slope: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
Specific zoning classification and description: Residential		Shape: Roughly Rectangular	
Zoning Compliance: <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Legal Nonconforming (Grandfathered use) <input type="checkbox"/> Illegal <input type="checkbox"/> No Zoning		Drainage: Appears Adequate	
Highest & best use as improved: <input checked="" type="checkbox"/> Present Use <input type="checkbox"/> Other Use (explain)		View: Average	
Utilities: Public <input checked="" type="checkbox"/> Other <input type="checkbox"/>		Landscaping: Average	
Electricity: <input checked="" type="checkbox"/> 400 100 Amps		Driveway: Gravel	
Gas: <input checked="" type="checkbox"/>		Apparent Easements: None Noted	
Water: <input checked="" type="checkbox"/>		FEMA Special Flood Hazard Area: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Sanitary Sewer: <input checked="" type="checkbox"/>		FEMA Zone: C	
Storm Sewer: <input checked="" type="checkbox"/>		Map Date: 12-15-78	
Off-site Improvements: Type: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private		FEMA Map No.: 360828-00108	
Street: Macadam			
Curb/Outer: None/None			
Sidewalk: None			
Street Lights: None			
Alley: None			

Comments (apparent adverse easements, encroachments, special assessments, slide areas, illegal or nonconforming zoning uses, etc.):

There are no adverse easements, encroachments or other adverse conditions.

SMALL RESIDENTIAL INCOME PROPERTY APPRAISAL REPORT

File No. 41211

[illegible]

Improvements Contain: 6 Rooms: 2 Bedroom(s): 2.0 Bath(s): 1,045 Square Feet of GROSS BUILDING AREA
GROSS BUILDING AREA (GBA) IS DEFINED AS THE TOTAL FINISHED AREA (INCLUDING COMMON AREAS) OF THE IMPROVEMENTS BASED UPON EXTERIOR.

MEASUREMENTS.

Surfaces	(Materials/Condition)	Hearing	Kitchen Equip.	(# / Unit-cond.)	Attic	Car Storage	No. Cars	2
Floors	<u>Cer/Cpt/Lam/Gd</u>	Type	<u>FHA</u>	Refrigerator	1/Good	<input type="checkbox"/> None	<u>Garage</u>	<input type="checkbox"/> X
Walls	<u>Shp/Brck/Good</u>	Fuel	<u>Gas</u>	Range/Oven	1/Good	<input type="checkbox"/> Stairs	<u>Carport</u>	<input type="checkbox"/>
Trim/Finish	<u>Wood/Good</u>	Condition	<u>Good</u>	Disposal		<input type="checkbox"/> Drop Sair	<u>Attached</u>	<input type="checkbox"/>
Bath Floor	<u>Cer Tile/Good</u>			Dishwasher	1/Good	<input checked="" type="checkbox"/> Sounle	<u>Detached</u>	<input type="checkbox"/>
Bath Wainscot	<u>Cer Shirlk/Good</u>	Cooling		Fan/Hood		<input type="checkbox"/> Floor	<u>Adequate</u>	<input type="checkbox"/> X
Doors	<u>Wood/Masonite/Gd</u>	Central	<u>Ducts</u>	Comptor		<input type="checkbox"/> Heated	<u>Inadequate</u>	<input type="checkbox"/>
		Other	<u>None</u>	Washer/Dryer	1/Good	<input type="checkbox"/> Finished	<u>Offstreet</u>	<input type="checkbox"/> X
		Condition	<u>Good</u>	Microwave	1/Good	<input type="checkbox"/> Unfinished	<u>None</u>	<input type="checkbox"/>
Fireplace(s)	<u>None</u>			Intercom				

Condition of the improvements, repairs needed, quality of construction, additional features, modernization, etc.: The subject is new construction. Quality of construction is good. The subject features a covered entry and rough plumbing in the basement for future units. The subject also has a two car built-in garage and ducts for future central air conditioning.

The subject has forced air heating and four electric meters each with 100 Amp service; one for each unit, one for the garage, and one for the common areas.

Depreciation (physical, functional, and external inadequacies, etc.):	No functional or external inadequacies were noted
---	---

Adverse environmental conditions (such as, but not limited to, hazardous wastes, toxic substances, etc.) present in the improvements, on the site, or in the immediate vicinity of the subject property: **None Known.**

VALUATION ANALYSIS

[illegible]

SMALL RESIDENTIAL INCOME PROPERTY APPRAISAL REPORT

File No. 41211

At least three rental comparables should be reported and analyzed in this section. The rental comparables should represent the most current rental information on properties as similar and proximate to the subject property as possible. (This comparison is based on current rental data, therefore, the rental comparables typically are not the same comparables used in the sales comparison analysis.) The appraisal report should assure the reader that the units and properties selected as comparables are comparable to the subject property (both the units and the overall property) and accurately represent the rental market for the subject property (unless otherwise stated within the report).

ITEM	SUBJECT	COMPARABLE RENTAL NO. 1	COMPARABLE RENTAL NO. 2	COMPARABLE RENTAL NO. 3																																																																																								
Address	13 Columbus Street New Windsor NY	87 Meadow Hill Road Newburgh NY	Bannerman View Drive Newburgh NY	Cocoa Lane Newburgh NY																																																																																								
Proximity to Subject		4.6 Miles	5.6 Miles	4.9 Miles																																																																																								
Lease Dates (if avail.)	N/A	N/A	N/A	N/A																																																																																								
Rent Survey Date	N/A	8/00	8/00	8/00																																																																																								
Date Source	Inspection	MLS	MLS	MLS																																																																																								
Rent Concessions	None	None	None	None																																																																																								
Description of property - units, design, appeal, age, vacancies, and conditions	No. Units 2 No. Vac. 2 Yr. Blt.: 2000 Duplex Avg. Location Good Condition	No. Units 2 No. Vac. 0 Yr. Blt.: 1990 Cape Sup. Location Good Condition	No. Units 2 No. Vac. 0 Yr. Blt.: 1986 Duplex Sup. Location Inf. Condition	No. Units 2 No. Vac. 0 Yr. Blt.: 1987 Duplex Sup. Location Inf. Condition																																																																																								
Individual Unit Breakdown:	<table><tr><th colspan="3">Rm. Count</th><th>Size</th><th colspan="3">Total</th></tr><tr><th>Tot</th><th>Br</th><th>Ba</th><th>Sq. Ft.</th><th>Tot</th><th>Br</th><th>Ba</th></tr><tr><td>3</td><td>1</td><td>1.0</td><td>1,070</td><td>5</td><td>3</td><td>2.0</td></tr><tr><td>3</td><td>1</td><td>1.0</td><td>875</td><td>3</td><td>1</td><td>1.0</td></tr></table>	Rm. Count			Size	Total			Tot	Br	Ba	Sq. Ft.	Tot	Br	Ba	3	1	1.0	1,070	5	3	2.0	3	1	1.0	875	3	1	1.0	<table><tr><th colspan="3">Rm. Count</th><th>Size</th><th>Total</th></tr><tr><th>Tot</th><th>Br</th><th>Ba</th><th>Sq. Ft.</th><th>Monthly Rent</th></tr><tr><td>5</td><td>3</td><td>2.0</td><td>1,500</td><td>1,800</td></tr><tr><td>3</td><td>1</td><td>1.0</td><td>600</td><td>675</td></tr></table>	Rm. Count			Size	Total	Tot	Br	Ba	Sq. Ft.	Monthly Rent	5	3	2.0	1,500	1,800	3	1	1.0	600	675	<table><tr><th colspan="3">Rm. Count</th><th>Size</th><th>Total</th></tr><tr><th>Tot</th><th>Br</th><th>Ba</th><th>Sq. Ft.</th><th>Monthly Rent</th></tr><tr><td>6</td><td>2</td><td>1.0</td><td>1,000</td><td>880</td></tr><tr><td>6</td><td>2</td><td>1.0</td><td>1,000</td><td>760</td></tr></table>	Rm. Count			Size	Total	Tot	Br	Ba	Sq. Ft.	Monthly Rent	6	2	1.0	1,000	880	6	2	1.0	1,000	760	<table><tr><th colspan="3">Rm. Count</th><th>Size</th><th>Total</th></tr><tr><th>Tot</th><th>Br</th><th>Ba</th><th>Sq. Ft.</th><th>Monthly Rent</th></tr><tr><td>5</td><td>2</td><td>1.0</td><td>1,066</td><td>775</td></tr><tr><td>5</td><td>2</td><td>1.0</td><td>1,066</td><td>775</td></tr></table>	Rm. Count			Size	Total	Tot	Br	Ba	Sq. Ft.	Monthly Rent	5	2	1.0	1,066	775	5	2	1.0	1,066	775
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Utilities, furniture, and amenities included in rent	Separated Utilities Unfurnished	Separated Utilities Unfurnished	Separated Utilities Unfurnished	Separated Utilities Unfurnished																																																																																								
Functional utility, basement, heating/cooling, project amenities, etc.	Avg. Utility Cent/Dcts Full Unfin Bsmt 2 Car Built In & Off St. CovEntry RahPmbg	Avg. Utility Cent/None Full Fin Bsmt Off Street Parking	Avg. Utility Cent/None Full Unfin Bsmt Off Street Parking 2 Decks	Avg. Utility Cent/None Slab 1 Car Attached 2 Decks																																																																																								

Analysis of rental data and support for estimated market rents for the individual subject units (including the adjustments used, the adequacy of comparables, rental concessions, etc.)

All three comparable sales are superior in location. There was no rental information available of similar homes in a similar area.

Comparable rentals #2 and #3 are inferior in condition.

The comparable rentals were chosen for their similar age.

Comparable rental #1 was the only rental available with a one bedroom unit.

Subject's rent schedule: The rent schedule reconciles the applicable indicated monthly market rents to the appropriate subject unit, and provides the estimated rents for the subject property. The appraiser must review the rent characteristics of the comparable sales to determine whether estimated rents should reflect actual or market rents. For example, if actual rents were available on the sales comparables and used to derive the gross rent multiplier (GRM), actual rents should be used. If market rents were used to construct the comparables' rents and derive the GRM, market rents should be used. The total gross estimated rent must represent rent characteristics consistent with the sales comparable data used to derive the GRM. The total gross estimated rent is not adjusted for vacancy.

LEASES			ACTUAL RENTS			ESTIMATED RENTS			
Unit	Lease Date		No. Units Vacant	Per Unit		Total Rents	Per Unit		Total Rents
	Begin	End		Unfurnished	Furnished		Unfurnished	Furnished	
1	N/A		1	\$	\$	\$ 0	\$ 750	\$ 750	
1	N/A		1			0	750	750	
2			2			\$ 0		\$ 1,500	

Other Monthly Income (Hemize) None \$
 Vacancy: Actual last year N/A % Previous year N/A % Estimated: 4 % \$ 720 Annually Total Gross Estimated Rent \$ 1,500
 Utilities Included in Estimated Rents: ☐ Electric ☒ Water ☒ Sewer ☐ Gas ☐ Oil ☐ Trash Collection ☒

Comments on the rent schedule, actual rents, estimated rents (especially regarding differences between actual and estimated rents), utilities, etc.: Estimated rents are considered to be conservative.

SMALL RESIDENTIAL INCOME PROPERTY APPRAISAL REPORT

File No. 41211

The undersigned has recited three recent sales of properties most similar and proximate to the subject property and has described and analyzed these in this analysis. If there is a significant variation between the subject and comparable properties, the analysis includes a dollar adjustment reflecting the market reaction to those items or an explanation supported by the market data. If a significant item in the comparable property is superior to, or more favorable than, the subject property, a minus (-) adjustment is made, thus reducing the adjusted sales price of the comparable property; if a significant item in the comparable property is inferior to, or less favorable than, the subject property, a plus (+) adjustment is made, thus increasing the adjusted sales price of the comparable property. (U) Sales Price / Gross Monthly Rent

ITEM	SUBJECT	COMPARABLE SALE NO. 1	COMPARABLE SALE NO. 2	COMPARABLE SALE NO. 3
Address	13 Columbus Street New Windsor NY	508 Grand Street Newburgh NY	425 Quaker Road Newburgh NY	287 Carter Avenue Newburgh NY
Proximity to Subject		.8 Mile	9 Miles	3.8 Miles
Sales Price	\$ N/A	\$ 157,900	\$ 155,000	\$ 239,900
Sales Price per GBA	\$ 0.00	\$ 62.07	\$ 78	\$ 85
Gross Monthly Rent	\$ 1,500	\$ 1,500	\$ 1,200	\$ 1,575
Gross Mo. Rent Multi. (1)	0.00	105.27	129.17	152.32
Sales Price per Unit	\$ 0.00	\$ 52,633.33	\$ 77,500.00	\$ 119,950.00
Sales Price per Room	\$ 0.00	\$ 14,354.55	\$ 12,916.67	\$ 23,990.00
Date and/or Verification Source	Inspection	MLS/Public Records	MLS/Public Records	MLS/Public Records
ADJUSTMENTS	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION
Sales or Financing		Standard	Standard	Standard
Concessions		Conventional	Conventional	Conventional
Date of Sale/Time		200 CI	200 CI	500 CI
Location	Average	Similar	Superior	Superior
Leasehold/Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Site	2 Acre	.2 Acre	1 Acre	1 Acre
View	Average	Average	Average	Average
Design and Appeal	Duplex/Avg	Old Style/Avg	Duplex/Avg	Duplex/Avg
Quality of Construction	Good	Good	Inferior	Superior
Age	New	110 Years	75 Years	6 Years
Condition	Good	Inferior	Inferior	Good
Gross Building Area	1,945 sq. ft.	2,544 sq. ft.	2,000 sq. ft.	2,814 sq. ft.
Unit	No. of units: Tot 3, Br 1, Ba 1, vac. 1	No. of units: Tot 4, Br 1, Ba 1, vac. 0	No. of units: Tot 1, Br 3, Ba 2.0, vac. 0	No. of units: Tot 1, Br 6, Ba 3, Ba 2.0, vac. 1
Breakdown	1 3 1 1 1 1 1 1 1.0 0	1 4 1 1.0 1	1 4 1 1.0 0	1 4 2 1.0 0
Basement Description	Full Unfin Bsmt	Full Unfin Bsmt	Full Unfin Bsmt	Full Pft/Fin Bsmt
Functional Utility	Average	Superior	Superior	Superior
Heating/Cooling	Cent/Ducts	Cent/None	Cent/None	Cent/Cent
Parking On/Off Site	2 Car Built In	None	1 Car Detached	2 Car Built In
Project Amenities and Fee (if applicable)	CovEntry Rgh/Pimng	CovPch	3Decks Jacuzzi Skylights	2Decks Shed
Net Adjustments (total)		\$ 16,510	\$ 12,950	\$ -58,190
Adjusted Sales Price of Comparable		\$ 174,410	\$ 167,950	\$ 181,710

Comments on sales comparison (including reconciliation of all indicators of value as to consistency and relative strength and evaluation of the typical investor's/purchaser's motivation in that market): See addendum.

ITEM	SUBJECT	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
Date, Price and Data				
Source for Prior Sales	None	None	None	None
Within Year of Appraisal				

Analysis of my current assessment of sale, option, or listing of the subject property and analysis of any prior sales of subject and comparables within one year of the date of appraisal:

The subject has not been listed or sold within the past year to the best of the appraiser's knowledge. This report was written on 8/24/00.

Total gross monthly estimated rent \$ 1,500 x gross rent multiplier (GRM) 120.00 = \$ 180,000 INDICATED VALUE BY INCOME APPROACH

Comments on income approach (including expense ratios, if available, and reconciliation of the GRM) The gross rent multiplier is considered to be conservative.

INDICATED VALUE BY SALES COMPARISON APPROACH	\$ 174,000
INDICATED VALUE BY INCOME APPROACH	\$ 180,000
INDICATED VALUE BY COST APPROACH	\$ 176,490

This appraisal is made ☐ "as is" ☐ subject to the repairs, alterations, inspections, or conditions listed below ☒ subject to completion per plans and specifications

Comments and conditions of appraisal: This appraisal is made subject to completion as per plans and specifications.

Final reconciliation: The market approach best reflects the attitudes of buyers and sellers in today's marketplace and is supported by the cost approach.

The purpose of this appraisal is to estimate the market value of the real property that is the subject of this report, based on the above conditions and the certification, contingent and limiting conditions, and market value definition that are stated in the attached Freddie Mac Form 439/Fannie Mae Form 1004B (Revised)

(WE) ESTIMATE THE MARKET VALUE, AS DEFINED, OF THE REAL PROPERTY THAT IS THE SUBJECT OF THIS REPORT, AS OF August 24, 2000.

(WHICH IS THE DATE OF INSPECTION AND THE EFFECTIVE DATE OF THIS REPORT) TO BE \$ 174,000

APPRAISER:

Signature *C. Reuter*
Name Cindy L. Reuter
Date Report Signed 8-30-00
State Certification # 47000030721
Or State License # State NY

SUPERVISORY APPRAISER (ONLY IF REQUIRED):

Signature *Frank G. Rios*
Name Frank G. Rios, SRA
Date Report Signed
State Certification # 45000003342
Or State License # State NY

☐ Did ☒ Did Not
Inspect Property

SUPPLEMENTAL SALES 4 5 6 ADDENDUM

File No. 41211

These comparables are presented in addition to those cited previously in this report. Data for the subject property is reiterated for convenience. The description includes a dollar adjustment, reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to, or more favorable than, the subject property, a minus (-) adjustment is made, thus reducing the indicated value of the subject; if a significant item in the comparable is inferior to, or less than, the subject property, a plus (+) adjustment is made, thus increasing the indicated value of the subject.

ITEM	SUBJECT	COMPARABLE SALE NO. 4				COMPARABLE SALE NO. 5				COMPARABLE SALE NO. 6					
Address	13 Columbus Street New Windsor NY	7 Shire Ridge Walke NY													
Proximity to Subject		6.7 Miles													
Sales Price	\$ N/A	x Unit		Fam.\$ 194,000		Unit		Fam.\$		Unit		Fam.\$			
Sales Price per GBA	\$ 0.00			\$ 72.17				\$				\$			
Gross Monthly Rent	\$ 1,500			\$ 1,800				\$				\$			
Gross Mo. Rent Mult. (1)	0.00			107.78				\$				\$			
Sales Price per Unit	\$ 0.00			\$ 97,000.00				\$				\$			
Sales Price per Room	\$ 0.00			\$ 17,636.36				\$				\$			
Date and/or Verification Source	Inspection	MLS/Public Records													
ADJUSTMENTS	DESCRIPTION	DESCRIPTION		+(-) \$ Adjustment		DESCRIPTION		+(-) \$ Adjustment		DESCRIPTION		+(-) \$ Adjustment			
Sales or Financing		Standard													
Concessions		Conventional													
Date of Sale/Time		6/00 Cl													
Location	Average	Superior		-19,000											
Leasehold/Fee Simple	Fee Simple	Fee Simple													
Site	2 Acre	1 Acre		-1,000											
View	Average	Average													
Design and Appeal	Duplex/Avg	Duplex/Avg													
Quality of Construction	Good	Inferior		8,000											
Age	New	5 Years													
Condition	Good	Good													
Gross Building Area	1,945 Sq. ft.	2,688 Sq. ft.		-7,430		Sq. ft.				Sq. ft.					
Unit Breakdown	No. units	Rem. count				No. units	Rem. count				No. units	Rem. count			
	Tot Br	Br	Ba	vac.		Tot Br	Br	Ba	vac.		Tot Br	Br	Ba	vac.	
	1	3	1	1	1	1	6	3	1.5	1					
	1	3	1	1	1	1	5	2	1.5	0					
Basement Description	Full Unfin Bsm	Full Unfin Bsm													
Functional Utility	Average	Superior		-8,000											
Heating/Cooling	Cent/Ducts	Cent/None		2,500											
Parking On/Off Site	2 Car Built In	Off Street		3,000											
Project Amenities and Fees (if applicable)	CovEntry	2Decks		2,500											
	RohPimng														
Net Adjustments (total)		+ X -		\$ -21,430		+ -		\$ 0		- -		\$ 0			
Adjusted Sales Price of Comparable		-11.0 % Net		\$ 172,570		% Net		\$ 0		% Net		\$ 0			
		27.5 % Grs				% Grs				% Grs					
ITEM	SUBJECT	COMPARABLE SALE NO. 4				COMPARABLE SALE NO. 5				COMPARABLE SALE NO. 6					
Date, Price and Date Source for Prior Sales Within Year of Appraisal	None	None													

Report NEEDS TO BE

TEXT ADDENDUM

Borrower/Client Francon

Property Address 13 Columbus Street

City New Windsor

County Orange

State NY

Zip Code 12553

Lender Superior Mortgage

* The subject is a new construction two family home. It is an overimprovement for the neighborhood it is located in. The neighborhood is comprised of older, lesser quality homes needing attention and some commercial sites. Every effort was made to find a similar new construction home in a similar neighborhood, however none was found. The subject's location has considerable impact on it's market value. 10% location adjustments were made to comparable sales #2, #3 and #4 to reflect their superior locations.

There were no known recent sale of similar two bedroom two-family homes in the area. Appropriate functional utility adjustments were made to the four comparable sales for their greater number of bedrooms. Comparable sale #1 was also adjusted for its having three units. This was the only known recent sale of a similar multifamily home with one bedroom units.

have proof of → There were no known recent sales of similar two-family homes smaller in size.

It was necessary to expand distance guidelines to find the most suitable comparable sales. Comparable sales #2 and #4 are both over five miles from the subject.

All four comparable sales exceed adjustment guidelines, however the comparable sales utilized were the best available.

Comparable sales #2, #3 and #4 were adjusted accordingly for their larger sites.

The inferior age and condition adjustments made to comparable sales #1 and #2 consider greater depreciation found in older homes.

The inferior quality of construction adjustment made to comparable sales #2 and #4 reflect the higher grade materials found throughout the subject.

The superior quality of construction adjustment made to comparable sale #3 considers the higher grade materials found throughout this home.

The subject conforms to current zoning codes and the zoning code reported is taken from public zoning records.

The lack of curbs, gutters, sidewalks and/or street lights is typical for the neighborhood and does not adversely impact marketability.

It was necessary to utilize sales located over one mile from the subject property. Orange County neighborhoods can span a great distance. All comparables are from the same market area and are considered the best available.

* The neighborhood is certainly more characteristic of a suburban neighborhood than a rural neighborhood, thus it is considered suburban for appraisal purposes.

Many neighborhood have cross characteristics between urban/suburban and suburban/rural. It is our opinion that the subject neighborhood is more characteristic of a suburban neighborhood than a rural neighborhood. Certain elements of the neighborhood, mainly that it is less than 75% built-up, require us to use comparable sales further away from the subject than if the area were more than 75% built-up. The sales chosen are considered to be the best available from the market search and are the most appropriate considering guidelines established by major mortgage investors and also those established by The Appraisal Institute.

The comparable sales utilized in the report have minor amounts of personal property included in their conveyance. The personal property is considered to be so insignificant that its conveyance had no impact on the comparables' sale prices. No adjustments could be extracted from the market for any personal property conveying with the comparable sales, thus no market adjustment is considered appropriate to the comparable sales for personal property in their conveyance. (See FMNA announcement 86-23 dated 10/23/86 and FHLMC bulletin Volume 1, section 2215 of the Sellers' Services Guide dated 4/24/86 effective 7/1/86.)

The adjustments for site size are based on market abstraction and contributory value. Above a certain point each additional increment of land area contributes less on a per acre or per square foot basis than the initial minimum site size for the area, thus a constant dollar per acre or square foot adjustment was not utilized. This concept relates to diminishing marginal utility. All physical factors of the subject and comparable sites have been weighed in arriving at site adjustments or lack thereof.

All comparables are similar and support value well.

Unless otherwise stated in this report, the existence of hazardous material, which may or may not be present on the property, was not observed by the appraiser. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is not qualified to detect urea-formaldehyde foam insulation, or other potentially hazardous materials that may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss of value. No responsibility is assumed for any such conditions, or for any expertise of engineering knowledge required to discover them. The client is urged to retain an expert in this field, if desired.

TEXT ADDENDUM

Borrower/Client Francan
Property Address 13 Columbus Street
City New Windsor County Orange State NY Zip Code 12553
Lender Superior Mortgage

Every effort has been made to conform to FNMA, FHLMC and FHLBB Guidelines and in most cases, an even stricter interpretation found common to most investors in the secondary market. The comments in this addendum are intended to expand on what the appraiser feels are areas of most concern to mortgage investors in underwriting an appraisal report. The expanded narrative allows the appraiser to provide additional comments where sufficient space is not available on the appraisal form. The market has been thoroughly searched and the sales reported are in the appraiser's opinion the best sales available that property weigh the four major elements of comparison.

Indicated value by income approach is considered not applicable. There are typically not enough rentals of homes in this price range to develop a multiplier.

The price per gross living area is developed by dividing the sales price by the gross living area of the house. It does not take into consideration any of the individual adjustments made to each comparable and is therefore an unadjusted indicator. The number will vary by lot size, size of improvements, location, and condition of improvements. As per Marshalls and Swift, the larger the improvements, the smaller the cost per square foot.


The percentage of vacant land is typical for the area and if anything has a positive effect on the value.

The appraisal assignment was not based upon a required minimum valuation, specific valuation, or the approval of a loan.

The improvements on the subject property comply with general zoning requirements. No search has been made to determine if all necessary permits or variances were obtained. The appraiser has assumed that all title searches and variances were obtained.

The appraisal and appraisal report were made in conformity with the appraisal standards set forth in the Federal Reserve Board Regulation titled Appraisal Standards for Federally Related Transactions which includes: (1) the Uniform Standards of Professional Appraisal Practice and (2) additional standards of the board.

This summary appraisal report is intended for use by the lender/client and/or their assigns for a mortgage finance transaction only. This report is not intended for any other use.


Cindy L. Reuter
August 24, 2000

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE
THIS PAGE IS PART OF THE INSTRUMENT. DO NOT REMOVE

PRINT OR TYPE: BLACK INK ONLY

JOHN BIDOSKY, III

TO

FRANK FRANCAN

NOV 23 1994

SECTION 14 BLOCK 1 LOT 11, 12, & 13

RECORD AND RETURN TO:
(Name and Address)

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH
RECORDED INSTRUMENT ONLY.

Jerald Fiedelholtz, P.C.
P.O. Box 4088
270 Quassaick Avenue
New Windsor, New York 12553

DO NOT WRITE BELOW THIS LINE

CONTROL NO. 62346 DATE 10-6-94 AFFIDAVIT FILED 19

INSTRUMENT TYPE: DEED ☒ MORTGAGE ☐ SATISFACTION ☐ ASSIGNMENT ☐ OTHER ☐

BG20 Blooming Grove	SERIAL NO. _____	CHECK <input checked="" type="checkbox"/> CASH <input type="checkbox"/> CHANGE _____
CH22 Chester	Mortgage Amount \$ _____	
CO24 Cornwall	Exempt Yes _____ No _____	MORTGAGE TAX \$ _____
CR26 Crawford	3-6 Cooking Units Yes _____ No _____	TRANSFER TAX \$ <u>220-</u>
DP28 Deepark	Received Tax on above Mortgage	ED. FUND \$ <u>5.00</u>
GO30 Goshen	Basic \$ _____	RECORD FEE \$ <u>14-</u>
GR32 Greenville	MIA \$ _____	REPORT FORMS \$ <u>30-</u>
HA34 Hamptonburgh	Spec. Add. \$ _____	CERT. COPIES \$ _____
HI36 Highlands	TOTAL \$ _____	
MK38 Minisink		
ME40 Monroe		
MY42 Montgomery		
MH44 Mount Hope		
NT46 Newburgh (T)		
NW48 New Windsor <input checked="" type="checkbox"/>		
TU50 Tuxedo		
WL52 Walkkill		
WK54 Warwick		
WA56 Wawayanda		
WO58 Woodbury		
MN09 Middletown		
NC11 Newburgh		
PJ13 Port Jervis		
9999 Hold		

JOAN MACCHI
Orange County Clerk

by: LS
ORANGE COUNTY CLERK'S OFFICE S.S.
Recorded on OCT 19 1994
at 2:59 O'Clock PM
In Liber/Film 4425 Deed
at page 336 and examined.

County Clerk

Affirmative
RECEIVED
\$ 220-
REAL ESTATE
OCT 19 1994
TRANSFER TAX
ORANGE COUNTY

LIBER 4125 PAGE 336

[illegible]

Located in the Town of New Windsor
State of New York
Tax No-4800-Section 14-Block C

"Certification survey was existing Code adopted by our Association only to those institutions for qualifications, and individuals, in sessions, or

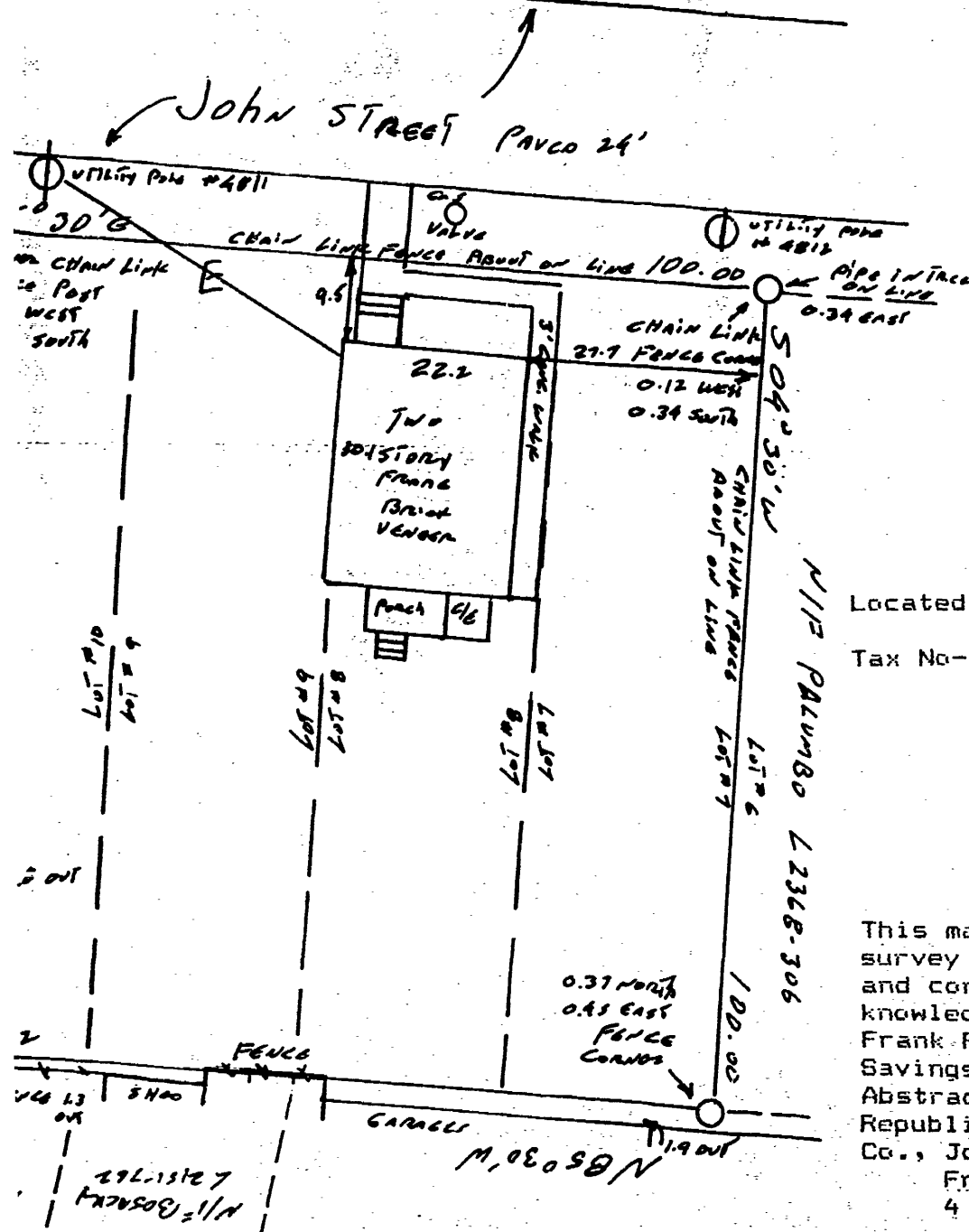
This map is the result of a survey of Aug. 6, 1994 and is and correct to the best of my knowledge. It is so certified Frank Francan, Walden Federal Savings and Loan, Affirmative Abstract as agents for Old Republic Land Title Insurance Co., John Bidosky III, Francis E. Whitaker, L.S. 4 Central Ave, Newburgh,

AUGUST 7, 1994

SCALE 1"=20'

94-19

"Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law."

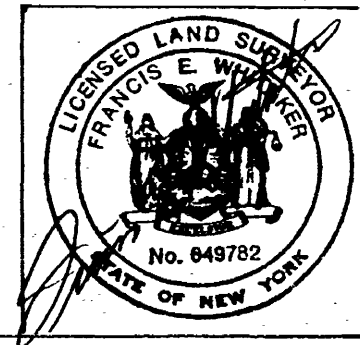


A SURVEY OF LANDS OF JOHN BIDOSKY III
TO BE CONVEYED TO FRANK FRANCAN

Located in the Town of New Windsor, County of Orange
State of New York
Tax No-4800-Section 14-Block 01-Parcel,s 11, 12, & 13

"Certifications Indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveyors adopted by the Delaware-Hudson Land Surveyors Association. Said certifications shall run only to those named individuals and/or institutions for whom the survey is prepared. Certifications, are not transferable to additional individuals, institutions, their successors and/or assigns, or subsequent owners."

This map is the result of a field survey of Aug. 6, 1994 and is true and correct to the best of my knowledge. It is so certified to, Frank Francan, Walden Federal Savings and Loan, Affirmative Abstract as agents for Old Republic Land Title Insurance Co., John Bidosky III, Francis E. Whitaker, L.S., 4 Central Ave, Newburgh, N.Y.

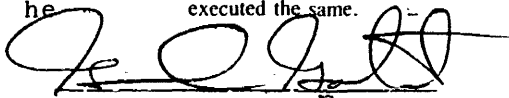


STATE OF NEW YORK, COUNTY OF ORANGE

SS:

On the 6th day of OCTOBER 19 94, before me
personally came Johr. Bidcsky, III

to me known to be the individual described in and who
executed the foregoing instrument, and acknowledged that
he executed the same.



GARY A. GALATI
Notary Public, State of New York
Certified in Orange County
Commission Expires Oct. 31, 1995

STATE OF NEW YORK, COUNTY OF

SS:

On the _____ day of _____ 19____, before me
personally came _____

to me known to be the individual described in and who
executed the foregoing instrument, and acknowledged that
executed the same.

STATE OF NEW YORK, COUNTY OF

SS:

On the _____ day of _____ 19____, before me
personally came _____
to me known, who, being by me duly sworn, did depose and say
that he resides at No. _____

that he is the
of _____

_____, the corporation described
in and which executed the foregoing instrument; that he knows
the seal of said corporation; that the seal affixed to said instrument
is such corporate seal; that it was so affixed by order of the board
of directors of said corporation, and that he signed h name
thereto by like order.

STATE OF NEW YORK, COUNTY OF

SS:

On the _____ day of _____ 19____, before me
personally came _____
to me known, who, being by me duly sworn, did depose and say
that he resides at No. _____

that he is the
of _____

_____, the corporation described
in and which executed the foregoing instrument; that he knows
the seal of said corporation; that the seal affixed to said instrument
is such corporate seal; that it was so affixed by order of the board
of directors of said corporation, and that he signed h name
thereto by like order.

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

Title No. _____

JOHN BIDOSKY, III

TO

FRANK FRANCAN

SECTION

BLOCK

LOT

COUNTY OR TOWN

Recorded at Request of COMMONWEALTH LAND
TITLE INSURANCE COMPANY

RETURN BY MAIL TO:

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS

Distributed by



Commonwealth.
Land Title Insurance Company

Jerald Fiedelholz, P.C.
P.O. Box 4088
270 Quassaick Avenue
New Windsor, New York 12553

Zip No. _____

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT — THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the 6th day of OCTOBER, nineteen hundred and ninety-four.
BETWEEN John Bidosky, III, presently residing at P.O. Box 274,
Mountainville, New York 10953,

party of the first part, and Frank Francon, presently residing at 243 Vails Gate
Heights, New Windsor, New York 12553,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of -----TEN-----

-----(\$10.00)----- dollars,

lawful money of the United States, & other good & valuable considerations paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors
and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and
being in the

ALL that certain plot, piece or parcel of land, situate,
lying and bing in the Town of New Windsor, County of Orange and
State of New York, bounded and described as follows:

BEGINNING at a point on the southerly line of John Street,
said point shown as the northwesterly corner of Lot #10 on a map
of lands of D.P. Kelly, deceased, New Windsor, New York December
1892, said map made by Caldwell and Garrison, Newburgh, New York
and filed in the Orange County Clerk's Office, January 7, 1893,
said point located 290.62 feet on a course of South 85 degrees 30
minutes East from the intersection of the easterly line Quassaick
Avenue with the southerly line of John Street, thence from said
point of beginning along the street line South 85 degrees 30 minutes
East, 100.00 feet to a point marked by a large pipe in a tree,
thence South 04 degrees 30 minutes West, mostly along a chain link
fence, 100.00 feet to a fence corner, thence parallel with the
street line North 85 degrees 30 minutes West, 100.00 feet to a
point, thence North 04 degrees 30 minutes East, 100.00 feet to a
point on the southerly line of John Street and the point of
beginning, together with all adjoining gores & strips of property in-
cluding any parcels which may have been acquired through adverse possession.

SUBJECT to covenants, easements, restrictions and agreements
of record if any.

BEING and intended to be the same premises conveyed by Sophie
Bidosky, Patricia Lenz, Marie Reeves and John Bidosky, III to John
Bidosky, III by Deed dated March 1, 1984 and recorded in the
Orange County Clerk's Office on March 5, 1984 in Liber 2277 of
Deed at page 230.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

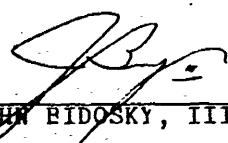
AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:



JOHN EIDOSKY, III L.S.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

00-57

Date:

11/30/00

I. ✓ Applicant Information:

- (a) FRANK FRANCAN 7 COLUMBUS STREET NEW WINDSOR, N.Y. 12553
(Name, address and phone of Applicant) (Owner)
- (b) SAME
(Name, address and phone of purchaser or lessee)
- (c) GERALD FIDELHAUTZ P.O. Box 4088 270 QUASSICK AVE
(Name, address and phone of attorney)
- (d) BOB SEARS 562-6215 MEALING AVE NEW WINDSOR NEW WINDSOR
(Name, address and phone of contractor/engineer/architect)

562-
4630

II. Application type:

☒ Use Variance

☐ Sign Variance

☒ Area Variance

☐ Interpretation

✓ III. Property Information:

- (a) PI 7 COLUMBUS STREET 14-1-10-11 100 x 87
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? MULTI FAMILY
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO
- (d) When was property purchased by present owner? 1997
- (e) Has property been subdivided previously? NO
- (f) Has property been subject of variance previously? YES
If so, when? MARCH 8, 1999
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? NO
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: NO

✓ IV. Use Variance.

- (a) Use Variance requested from New Windsor Zoning Local Law, Section 48-9, Table of Use/Bulk Regs., Col. A, to allow:
(Describe proposal)

TO HAVE A 2 FAMILY DWELLING IN A PI ZONE / ALSO
INSUFFICIENT AREA SO THAT CONFORMANCE WILL BE CORRECT

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

I HAVE A GREAT INTEREST AND TRACK RECORD OF RESTORING TAX BASE IN AREA AT QUESTION. NEIGHBORHOOD HAS MORE MULTI FAMILY RESIDENCES. THEY OUTNUMBER BY FAR ANY OTHER STRUCTURES. I LIVE AND WORK FROM THIS AREA OF NEW WINDSOR, KEEPING THE NEIGHBORHOOD CLEAN PROPERTIES CLEAN, ALSO REMOVING AND HAVE REMOVED A GREAT DEAL OF ACCUMULATED GARBAGE. THE OWNERS OF OTHER PROPERTY IN NEIGHBORHOOD KEEPS ME THERE AT ALL TIMES. NOT SELF CREATED FOR 3 IMPORTANT REASONS. LEADING

VI. Sign Variance: N/A PRACTICES OF FINANCIAL INSTITUTIONS I DO NOT MAKE UP.

(a) Variance requested from New Windsor Zoning Local Law, THE PI ZONE Section _____, _____ Regs.

	Requirements	Proposed or Available	Variance Request	Designation of predominantly MULTI.
Sign 1	_____	_____	_____	FAMILY RESIDENCES
Sign ..	_____	_____	_____	I AREA OF QUESTION
Sign 3	_____	_____	_____	A RESONABLE
Sign	_____	_____	_____	USUALLY BUILDING
	_____	_____	_____	OF THE EQUAL TYPE
	_____	_____	_____	LOCATED IN THIS AREA
	_____	_____	_____	FOR SALE
	_____	_____	_____	OR FOR LIKEABLE
	_____	_____	_____	CONSIDERATION

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation. N/A

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

I WOULD ALSO BE TAXED ON SPACE, CREATING BETTER TAX FOR SERVICES (TAX) PROVIDED TO ME BY THE TOWN. RESULTING VARIANCE WOULD ALLOW FOR BASED (TAXED)

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.
 PROPERTY W SAME OR EQUIVALENT NOT AVAILABLE IN NEW WINDSOR. TRIED TO LOOK FOR OTHER BUILDINGS TO PURCHASE IN SURROUNDING TOWNS AND COULD NOT COME UP W/USABLE EQUAL, HAD TO BUILD TO ACHIEVE STATUS. TRIED TO FIND OTHER FORMS OF LENDING, BORROWING EQUITY IN OTHER PROPERTIES THAT COULD NOT BE OBTAINED IN AREA AND SURROUNDING TOWNS NOT AVAILABLE. TRIED TO ELIVATE BY GETTING AN EQUITY LOAN, WHICH REQUIRES NEW APPROVAL AS

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEOR) with this application. WOULD LIKE TO CONTINUE UPGRADING STATUS OF THAT PORTION OF TOWN OF NEW WINDSOR TO BRING BACK VALUE TO OTHER PROPERTIES TOWN AS WELL AS NEIGHBORHOOD ITSELF, AND

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes _____ No X.
 FUTURE POSSIBILITIES IN EQUITABLE LENDING PRACTICES NOW AND IN FUTURE OR FUTURE NEEDED. IF THE ANSWER IS YES, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office (SURROUNDING AREA PREDOMINATELY MULTI FAMILY RESIDENCES). (ALSO IN ORDER TO BE ABLE TO EFFECTIVELY MARKET PROPERTY SHOULD NEED ARISES IN)

V. Area variance: FUNRE

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. C, D, E, G, & H.

Requirements	Proposed or Available	Variance Request
Min. Lot Area <u>25,000 ft</u>	<u>8,750 ft</u>	<u>16,250 ft</u>
Min. Lot Width <u>125 ft</u>	<u>87.5 ft</u>	<u>37.5 ft</u>
Reqd. Front Yd. <u>35 ft</u>	<u>20.9 ft</u>	<u>14.1 ft</u>
Reqd. Side Yd. <u>-</u>	<u>-</u>	<u>-</u>
Reqd. Rear Yd. <u>40 ft</u>	<u>38.3 ft</u>	<u>1.7 ft</u>
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
MIN LIVABLE AREA <u>1000 ft</u>	<u>820 ft EA</u>	<u>180 ft EA</u>
Min. Floor Area*		
Dev. Coverage* %	%	%
Floor Area Ratio**		
Parking Area		

* Residential Districts only
 ** No-residential districts only

(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

~~THE PREVIOUS TRACK RECORD OF FIXING UP THE OTHER SIDE THAT I OWN. THE REMOVAL OF COBBLESTONE SETS ON PROPERTIES THAT I PREVIOUSLY PURCHASED. THE LANDSCAPING OF TREES AND SHRUBS BETWEEN HOUSES. THE VERIFIED INTEREST FOR THE TOWN OF NEW WINDSOR TO BE BETTER SHOWN IN THAT AREA. MYSELF ALIVING IN THE AREA TO UPGRADE TAX BASE AND BRING THE AREA BACK UP AESTHETICALLY ALSO TO~~

IX. Attachments required: FOLLOW THE EXAMPLES I HAVE DONE IN THE LAST 10 YR

- ☒ Copy of referral from Bldg./Zoning Insp. or Planning Bd. OF Improving
- ☒ Copy of tax map showing adjacent properties.
- ☒ N/A Copy of contract of sale, lease or franchise agreement. THE AREA.
- ☒ Copy of deed and title policy.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☒ N/A Copy(ies) of sign(s) with dimensions and location.
- ☒ Two (2) checks, one in the amount of \$50.00 and the second check in the amount of \$300.00, each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

X. Affidavit.

Date: 11/30/00

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

X [Signature]
(Applicant)

Sworn to before me this

30th day of November, 2000.

XI. ZBA Action:

(a) Public Hearing date: _____.

PATRICIA A. CORSETTI
Notary Public, State of New York
No. 01BA4904434
Qualified in Orange County
Commission Expires August 31, 2001.

(b) Variance: Granted (____) Denied (____)

(c) Restrictions or conditions: _____

_____.

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



TYPE NAME(S) OF PARTY(S) TO DOCUMENT: BLACK INK

GINNY MARTA

TO

✓ FRANK FRANCAN

SECTION 14 BLOCK 1 LOT 10

RECORD AND RETURN TO:

(Name and Address)

THERE IS NO FEE FOR THE RECORDING OF THIS PAGE

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH

RECORDED INSTRUMENT ONLY

JERALD FIEDELHOLTZ, ESQ.
PO BOX 4088
NEW WINDSOR, NY 12553

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED ☒ MORTGAGE ☐ SATISFACTION ☐ ASSIGNMENT ☐ OTHER ☐

PROPERTY LOCATION

___ 2089 BLOOMING GROVE (TN)	___ 4289 MONTGOMERY (TN)
___ 2001 WASHINGTONVILLE (VLG)	___ 4201 MAYBROOK (VLG)
___ 2289 CHESTER (TN)	___ 4203 MONTGOMERY (VLG)
___ 2201 CHESTER (VLG)	___ 4205 WALDEN (VLG)
___ 2489 CORNWALL (TN)	___ 4489 MOUNT HOPE (TN)
___ 2401 CORNWALL (VLG)	___ 4401 OTISVILLE (VLG)
___ 2600 CRAWFORD (TN)	___ 4600 NEWBURGH (TN)
___ 2800 DEERPARK (TN)	<input checked="" type="checkbox"/> 4800 NEW WINDSOR (TN)
___ 3089 GOSHEN (TN)	___ 5089 TUXEDO (TN)
___ 3001 GOSHEN (VLG)	___ 5001 TUXEDO PARK (VLG)
___ 3003 FLORIDA (VLG)	___ 5200 WALLKILL (TN)
___ 3005 CHESTER (VLG)	___ 5489 WARWICK (TN)
___ 3200 GREENVILLE (TN)	___ 5401 FLORIDA (VLG)
___ 3489 HAMPTONBURGH (TN)	___ 5403 GREENWOOD LAKE (VLG)
___ 3401 MAYBROOK (VLG)	___ 5405 WARWICK (VLG)
___ 3689 HIGHLANDS (TN)	___ 5600 WAWAYANDA (TN)
___ 3601 HIGHLAND FALLS (VLG)	___ 5889 WOODBURY (TN)
___ 3889 MINISINK (TN)	___ 5801 HARRIMAN (VLG)
___ 3801 UNIONVILLE (VLG)	
___ 4089 MONROE (TN)	
___ 4001 MONROE (VLG)	
___ 4003 HARRIMAN (VLG)	
___ 4005 KIRYAS JOEL (VLG)	

CITIES

___ 0900 MIDDLETOWN
___ 1100 NEWBURGH
___ 1300 PORT JERVIS

___ 9999 HOLD

NO. PAGES 1 CROSS REF
CERT. COPY AFFT. FILED

PAYMENT TYPE: CHECK ☒
CASH
CHARGE
NO FEE

CONSIDERATION \$ 7000
TAX EXEMPT

MORTGAGE AMT \$
DATE

MORTGAGE TYPE:

___ (A) COMMERCIAL
___ (B) 1 OR 2 FAMILY
___ (C) UNDER \$10,000.
___ (E) EXEMPT
___ (F) 3 TO 6 UNITS
___ (I) NAT.PERSON/CR.UNION
___ (J) NAT.PER-CR.UN/1 OR 2
___ (K) CONDO

Joan A Macchi

JOAN A. MACCHI
Orange County Clerk

RECEIVED FROM: Hill - N. Dale

LISEP 4610PG 106

THIS IS A LEGAL INSTRUMENT AND SHOULD BE EXECUTED UNDER SUPERVISION OF AN ATTORNEY.

THIS INDENTURE, made the 28th day of July

19 97 .

HN 23163

BETWEEN

GINNY MARTA, residing at 28 Idlewild Park Drive,
Apartment 3, Cornwall, New York 12520

grantor

FRANK FRANCAN, residing at 243 Vails Gate Heights Drive,
New Windsor, New York 12553

grantee

WITNESSETH, that the grantor, in consideration of

TEN AND NO/100 (\$10.00) Dollars, paid by the grantee
hereby grants and releases unto the grantee, the heirs or successor and assigns of the grantee forever,

ALL

that certain plot, piece or parcel of land, lying, situate and being in the
Town of New Windsor, County of Orange, State of New York, known and
designated as Lot #11, 12 and the easterly one-half of Lot #13 on a "Map of
lands of the Estate of D.P. Kelley, deceased, New Windsor, N.Y. December
1892 made by Caldwell and Garrison, Surveyors and filed in the Orange
County Clerk's Office January 7, 1893, which said lots are more particularly
bounded and described as follows:

BEGINNING at a point on the southerly side of Columbus Street as laid
down on said map (now John Street), at the northeasterly corner of lands of
Coffey and distant 229 feet, 1-1/2 inches east of the east line of Quassaick
Avenue and running thence southerly along the line of lands of Coffey for 100
feet to a point in the northerly line of Lot #27 as shown on said map; thence
easterly and along the northerly lines of Lots Nos. 27, 28 and 29 for 62 feet 6
inches to the southwesterly corner of Lot #10 on said map; thence northerly
along the westerly line of Lot #10 for 100 feet to the southerly line of John Street
(formerly Columbus Street); thence westerly along the southerly line of John
Street (formerly Columbus Street) 62 feet 6 inches to the point or place of
BEGINNING.

BEING the same premises as conveyed by deed dated November 27,
1995 from Tindaro Marta to Ginny Marta and recorded in the Orange County
Clerk's Office on December 4, 1995 in Liber 4309 at Page 54.

TOGETHER with the appurtenances and all the estate and rights of the grantor in and to said premises.
TO HAVE AND TO HOLD the premises herein granted unto the grantee, the heirs or successors and assigns of the
grantee forever. AND the said grantor covenants that the grantor has not done or suffered anything whereby the said
premises have been encumbered in any way whatever. This deed is subject to the trust provisions of Section 13 of the Lien Law.

The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires.
IN WITNESS WHEREOF, the grantor has executed this deed the day and year first above written.

In presence of:

Ginny Marta L. S.
GINNY MARTA
L. S.

HILL-N-DALE ABSTRACTERS, INC.

20 SCOTCHTOWN AVENUE
GOSHEN, NEW YORK 10924
(914) 294-5110
FAX (914) 294-9581

executed, the foregoing instrument; deponent knows the seal of said
corporation; that the seal affixed to said instrument is such corporate
seal; that it was so affixed by order of the Board of Directors of said
corporation; deponent signed deponent's name thereto by like order.

SUSAN R. STENBERG
Notary Public, State of New York
Qualified in Orange County
Reg. #4520728

in mission Ex. Area July 31, 1997

STATE OF NEW YORK, COUNTY OF ORANGE

On the 28th day of July 19 97, before
me personally came

GINNY MARTA

to me known to be the individual described in, and who executed
the foregoing instrument, and acknowledged that s/he executed
the same.

Susan R. Stenberg
NOTARY PUBLIC - STATE OF NEW YORK

LIBER 4610 PC 107

14-1-10.11 FRANCAN, FRANK USE & AREA VARIANCE - GRANTED 04/26/99
 Request for use variance to allow existing single-family residence in a PI zone; plus 6,250 sq. ft. lot area, 12 ft. 5 in. lot width, and 1 ft. 7 in. rear yard variance for residence at 7 Columbus Street. Granted.

14-2-3.1 AF&F/CIANCIO, RHODA USE VARIANCE GRANTED
 PLYMPTON STREET #97-8 PI ZONE 06/09/97
 Request granted for use variance for a nursery/day care center to be located at the former af&f office building on plympton street. Private school for children under age of six (private kindergarten and pre-k).

14-3-2 HENDON POOL /BRODY USE VARIANCE GRANTED
 ROUTE 9W #79-2 PI ZONE 02126ng
 Request for restaurant and cocktail lounge in a pi zone. Restrictions as follows: (1) pool located on the premises be removed, permanently covered or rendered permanently unusable; (2) that there be no loud bands located on the premises but that there be only one piano with no loud amplification of sane.

14-3-3 MANS, C.P./TOYOTA OF NEWBURGH, INC. SIGN VARIANCE DENIED
 334 ROUTE 9W NC ZONE #91-34 02/10/92
 Request for 20 s.f. sign area variance to replace roof sign with new structrue which will be 5 x 10 ft. 09/22/97 - mans, c.p./toyota of newburgh, inc. Sign variance granted
 Request for 2 ft. sign width variance to replace a wall sign located at the used-car sales office at 334 Route 9W in an NC zone.

14-3-4/5 CRAIG, WARREN S. SIGN VARIANCE GRANTED
 ROUTE 9W/WALSH RD. NC ZONE #90-5 02/26/90
 Request for 74 s.f. sign area and 2 ft. 6 in. Sign height variances to replace double-faced, free-standing sign on front portion of highway (used car lot across from calvary cemetery). 09/22/97 - Request for I ft. 6 in sign height and I ft. sign width variance to replace 2 signs at the used-car sales office at 336 Route 9W in an NC zone. GRANTED

14-4-1 MID VALLEY OIL/PETRO, JAMES R. #98-18 AREA VARIANCE
 Request granted for a 25.0 ft. Front yard variance for construction of canopy with fire suppression system at BP station on Route 9W and 94 in an NC zone. Granted on 8/11/98.

14-4-5.1 ONEILL, JOHN AREA VARIANCE GRANTED
 10 1 CHESTNUT DRIVE #79-13 R-4 ZONE 09/24/79
 Request for 6,754 s.f. lot area variance, 5 ft. Front yard and 5 ft. Side yard variance on existing residence which lot was created prior to zoning. Lots #2 and #4 are both irregular in shape. Lot #4 is improved with a one-family dwelling and lot #2 is presently unimproved. Applicants seek to retain a triangular portion of present lot #4 and to add the same to lot #2. Boundary line change will lessen the size of present lot #4 and increase the size of present lot #2. Lot #2 is vacant.

14-7-21 ROBARE, MARYAM R-4 ZONE AREA VARIANCES GRANTED: 10/23/00
 289 WALSH ROAD #00-23
 REQUEST GRANTED FOR 5 FT. SIDE YARD VARIANCE FOR EXISTING SHED AND 15 FT. REAR YARD FOR DECK AT ABOVE RESIDENCE.

14-8-1 GREVAS, BRENDA USE VARIANCE GRANTED ON 11/23/98
 33 QUASSAICK AVENUE NC ZONE #98-53

-----X
In the Matter of the Application of

FRANK FRANCAN

**MEMORANDUM OF
DECISION GRANTING
USE & AREA VARIANCE**

#99-7.
-----X

WHEREAS, FRANK FRANCAN, residing at 7 Columbus Street, New Windsor, New York, N. Y. 12553, has made application before the Zoning Board of Appeals for a 6,250 sq. ft. lot area, 12 ft. 5 in. lot width, 1 ft. 7 in. rear yard, and use variance to allow existing single-family residence at the above location in a PI zone; and

WHEREAS, a public hearing was held on the 26th day of April, 1999 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of himself for this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a residential property consisting of a one-family home located in a neighborhood containing residential properties.

(b) The property is zoned PI but all the properties surrounding this property are in fact used for residential purposes and predate the adoption of the Zoning Local Law. There appear to be no industrial uses anywhere near this property.

(c) The property is too small in area to permit its use for the uses listed in the New Windsor Zoning Local Law.

(d) The Applicant intends to reside on the property which is the subject of this Application.

(e) The character of the neighborhood is entirely residential consisting of multi-family and single-family dwellings.

(f) Use of the property for residential purposes appears to be the only feasible use of the property in view of its size and location.

(g) The proposed addition of a stairwell will not create any water hazards or the ponding or collection of water.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The variances requested are substantial in relation to the Town regulations but nevertheless are warranted for the reasons listed above.

4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The benefit to the Applicant, if the requested variances are granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.

6. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

7. The interests of justice will be served by allowing the granting of the requested area variances.

8. The Applicant cannot realize a reasonable return on this property since, because of its small size and location, it is not suitable for any use permitted in the zone.

9. The alleged hardship to the property is unique in that it is located in an entirely residential area.

10. The use variance will not alter the essential character of the neighborhood.

11. The hardship alleged by the Applicant has not been self-created.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a use variance to allow an existing single-family residence in a PI zone, plus 6,250 sq. ft. lot area, 12 ft. 5 in. lot width, and 1 ft. 7 in. rear yard variance at the above address, in an PI zone as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: June 14, 1999.

Chairman